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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/715,348	11/17/2000	Erik D. Kokkonen	9837-009-999	6330

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Pennie & Edmonds, LLP
3300 Hillview Avenue
Palo Alto, CA 94304

EXAMINER

LE, MIRANDA

ART UNIT	PAPER NUMBER
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2177

DATE MAILED: 04/09/2003

5

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/715,348

Applicant(s)

KOKLEONEN, ERIC

Examiner

Miranda Le

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 November 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: "well know" should be changed to "well known" (see page 1, line 22 "well know"). Please correct all such errors throughout the specification.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 5-8, 12-15, 19-21, are rejected under 35 U.S.C. 102(b) as being anticipated by Peercy et al. (US Patent No. 5,960,429).

Peercy anticipated independent claims 1, 7, 8, 14, 15, 21, 28 by the following:

4. As per claims 1, 8, Peercy teaches "a method of generating directed content...receiving a set of lists, each list in said set of lists associated with a respective web service in a plurality of web services and each list in said set of lists including searches submitted to said respective web service" at col. 5, lines 9-15, Fig. 2, 3 (retrieve record from database-Step 36, Fig. 3-containing a set of lists of Web services-Fig. 2);

"distilling said set of lists into a frequency database, the database storing search frequency information indicating, for respective searches, a frequency with respect to

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each of one or more of the plurality of web services” at col. 5, lines 16-24 (comparing Page Request to Database for finding the Page Request existing in Database, else create Record in Database-Steps 38, 40, 42, Fig. 3;

“obtaining a query” at col. 5, lines 20-24, Fig. 3;

“searching the frequency database for matches between said query and a search in the database and for selecting the matches having highest associated frequency, each selected match indicating a respective selected web service of the web services” at col. 4, lines 41-47, col. 5, lines 25-34, Fig. 2, 3 (Steps 44, 46, 48);

“generating directed content based on one or more of the selected web services” at col. 5, lines 34-39, col. 6, lines 5-9, Fig. 3.

Furthermore, Peercy teaches “a frequency database for storing search frequency information” at col. 1, lines 53-58.

5. As per claims 7, 14, Peercy teaches “receiving a plurality of lists, each list in said plurality of lists associated with a respective web service and each list in said plurality of lists including searches submitted to said respective web service” at col. 5, lines 9-15;

“distilling each list in said plurality of lists into a frequency sorted list, the frequency sorted list including a plurality of entries, each entry having a search and a number of times said search was submitted to a respective web service” at col. 4, lines 41-47, col. 5, lines 16-24;

“obtaining a query” at col. 5, lines 20-24;

“searching the frequency sorted list for matches between said query and

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a search in the frequency sorted list and for selecting the matches having highest associated frequency, each selected match indicting a respective selected web service of the web services” at col. 4, lines 41-47, col. 5, lines 25-34;

“generating directed content based on one or more of the selected web services” at col. 5, lines 34-39, col. 6, lines 5-9.

Moreover, Percy teaches “a frequency sorted list for storing search frequency information” at col. 4, lines 41-47.

6. As per claims 15, 21, Percy teaches “a computer system for generating directed content, the computer system...a central processing unit” at col. 3, lines 30-38;

“a memory, coupled to the central processing unit” at col. 3, lines 30-38, the memory storing:

“a frequency database for storing search frequency information” at col. 1, lines 53-58;

“a program module for generating said directed content” at col. 5, lines 10-16 (program 22), said program module comprising:

“instructions for receiving a set of lists, each list in said set of lists associated with a respective web service in a plurality of web services and each list in said set of lists including searches submitted to said respective web service” at col. 5, lines 9-15;

“instructions for distilling said set of lists into said frequency database, the frequency database storing search frequency information indicating, for respective searches, a frequency with respect to each of one or more of a plurality of web services” at col. 5, lines 16-24, col. 4, lines 41-47;

“instructions for obtaining a query” at col. 5, lines 20-24;

“instructions for searching the frequency database for matches between said query and a search in the database and for selecting the matches having highest associated frequency, each selected match indicting a respective selected web service of the web services” at col. 4, lines 41-47, col. 5, lines 25-34;

“instructions for generating directed content based on one or more of the selected web services” at col. 5, lines 34-39, col. 6, lines 5-9.

7. As per claims 5, 12, 19, Percy teaches “a match having highest associated frequency is determined by a rank of a search, which matches said query, in a list associated with a web service in said plurality of web services” at col. 4, lines 41-47, Fig. 2.

8. As per claims 6, 13, 20, Percy teaches “a match having highest associated frequency is determined by a score that is a function of (i) a rank of a search, which matches said query, in a list associated with a web service in said plurality of web services and (ii) the logarithm of the frequency of said search in the list” at col. 4, lines 40-50.

It should be noted that the function and the logarithm are inherent in the computer program for determining a match having highest associated frequency and a rank of a search matching said query.

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless:

(e) the invention was described in

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

10. Claims 22-24, 26-27, 29-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Getchius et al. (US Patent No. 6,408,294 B1).

Getchius anticipated independent claims 22, 26, 29, by the following:

11. As per claims 22, Getchius teaches "a method of generating a directed advertisement...obtaining a query" at col. 5, lines 36-44;

"searching a web resource for a match between said query and an element of said web resource" at col. 10, lines 14-31;

"selecting a web service based on said element of said web resource" at col. 11, lines 4-26;

"routing said query to an instance of said selected web service" at col. 11, lines 13-26;

"collecting a response generated by said selected web service" at col. 11, lines 19-27;

"generating said directed advertisement, said directed advertisement including a portion of said response in said advertisement" at col. 16, lines 13-39, Fig. 12.

12. As per claims 26, 29, Getchius teaches “a computer program product for use in conjunction with a computer system, the computer program product comprising a computer readable storage medium and a computer program mechanism embedded therein” at col. 4, line 49 to col. 5, line 14; the computer program mechanism comprising:

“a program module for generating a directed advertisement” at col. 4, lines 49-56, said program module comprising:

“instructions for obtaining a query” at col. 5, lines 36-44;

“instructions for searching a web resource for a match between said query and an element of said web resource” at col. 10, lines 14-31;

“instructions for selecting a web service based on said element of said web resource” at col. 11, lines 4-26;

“instructions for routing said query to an instance of said selected web service” at col. 11, lines 13-26;

“instructions for collecting a response generated by said selected web service” at col. 11, lines 19-27;

“instructions for generating said directed advertisement, said directed advertisement including a portion of said response in said advertisement” at col. 16, lines 13-39, Fig. 12.

13. As per claims 23, 27, 30, Getchius teaches “element of said web resource is a category” at col. 10, lines 14-31.

Claim Rejections - 35 USC § 103

14. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

15. Claims 2-4, 9-11, 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Peercy et al. (US Patent No. 5,960,429), as applied to the rejection of claims above, in view of Getchius et al. (US Patent No. 6,408,294 B1).

16. As per claims 2, 9, 16, Peercy does not explicitly teach "directed content is a link to a web service that was selected during said searching step". However, Getchius teaches this limitation at col. 11, lines 4-12.

Thus, it would have been obvious to one ordinarily skilled in the art at the time of the invention to modify the teachings of Peercy with the teachings of Getchius to include "directed content is a link to a web service that was selected during said searching step" in order to provide a system for targeting advertisement that are displayed to a user of the system.

17. As per claims 3, 10, 17, Peercy does not explicitly teach "identifying a category that corresponds to a web service that was selected during said searching step; said directed content including an advertisement that corresponds to said category". However, Getchius teaches this limitation at col. 61, lines 39-56.

Thus, it would have been obvious to one ordinarily skilled in the art at the time of the invention to modify the teachings of Peercy with the teachings of Getchius to include “identifying a category that corresponds to a web service that was selected during said searching step; said directed content including an advertisement that corresponds to said category” in order to provide a system for targeting advertisement that are displayed to a user of the system.

18. As per claims 4, 11, 18, Peercy does not explicitly teach “routing said query to an instance of a web service that was selected during said searching step; and collecting a response generated by said selected web service; wherein said advertisement includes a portion of said response”. However, Getchius teaches this limitation at col. 11, lines 13-26, col. 11, lines 19-27, col. 61, lines 33-36, col. 16, lines 13-39.

Thus, it would have been obvious to one ordinarily skilled in the art at the time of the invention to modify the teachings of Peercy with the teachings of Getchius to include “routing said query to an instance of a web service that was selected during said searching step; and collecting a response generated by said selected web service; wherein said advertisement includes a portion of said response” in order to provide a system for targeting advertisement that are displayed to a user of the system.

19. Claims 25, 28, 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Getchius et al. (US Patent No. 6,408,294 B1), as applied to the rejection of claims above, in view of Peercy et al. (US Patent No. 5,960,429).

20. As per claim 24, Getchius does not explicitly teach “the web resource is Open Directory Project”. However, Peercy teaches this limitation at col. 4, lines 31-55.

It would have been obvious to one ordinary skilled in the art at the time of the invention was made to modify the web resource of Getchius with Open Directory Project in order to store the records which are used to generate the multiple reference hot list, as taught by Peercy in col. 4, lines 41-42.

21. As to claims 25, 28, 31, Getchius does not explicitly teach the limitations of the claims. However, Peercy teaches “said web resource is a frequency database, the database storing search frequency information indicating, for respective searches, a frequency with respect to each of one or more of a plurality of web services” at col. 4, lines 30-56, Fig. 2;

“said element of said resource is an entry in the frequency database corresponding to said selected web service, said search frequency information stored in said frequency database indicating that said search has been conducted at said selected web service at a high frequency relative to other web services of said plurality of web services” at col. 4, lines 40-63, Fig. 2.

Thus, it would have been obvious to one ordinarily skilled in the art at the time of the invention to modify the teachings of Getchius with the teachings of Peercy to include “said web resource is a frequency database, the database storing search frequency information indicating, for respective searches, a frequency with respect to each of one or more of a plurality of web services; and said element of said resource is an entry in the frequency database corresponding to said selected web service, said search frequency information stored in said frequency database indicating that said search has been conducted at said selected web service at a high frequency

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relative to other web services of said plurality of web services" in order to allow users to obtain a better way to find popular web pages at a particular website, to expedite and clarify the path from the web site to a given web page.

Conclusion

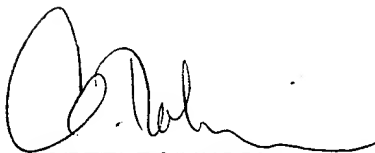
22. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

23. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Miranda Le whose telephone number is (703) 305-3203. The examiner can normally be reached on Monday through Friday from 8:30 AM to 5:00 PM.

24. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Breene, can be reached on (703) 305-9790. The fax number to this Art Unit is (703) 746-7238. The TC 2100's Customer Service number is (703) 306-5631.

25. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Miranda Le
April 3, 2003

A handwritten signature in black ink, appearing to read 'Greta Robinson', with a long horizontal flourish extending to the right.

**GRETA ROBINSON
PRIMARY EXAMINER**